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TELECOPY COVER SHEETTO: ATTN: Andrea Chop Art Unit 3628CLIENT NO. 24104ATELEPHONE: 703-305-2872 6358 FAX: (703) 308-3687FROM: MARK R. MALEK *MR*DATE: November 7, 2001NUMBER OF PAGES (INCLUDING COVER SHEET): 8

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MESSAGE:

Terminal Disclaimer to Obviate a Double Patenting Rejection over a Prior Patent
for:

PATENT Application Serial No. 09/703,277 for:

PURVIS ET AL for:

TEMPORARY GUARDRAIL SYSTEM

Filed: OCTOBER 31, 2000

Please also see MPEP 1412.04. We believe that the
reissue oath or declaration signed by all the
inventors (already submitted) will provide a "complete
mechanism to correct inventorship."

Thanks, Mark Pull

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Case No. 24104 A

THE COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, DC 20231

Transmitted herewith for filing in the reissue patent application of U.S. Patent No.: 5,842,685

Inventors: PURVIS ET AL.

For: TEMPORARY GUARD RAIL SYSTEM

Serial No.: 09/703,277

Filed: October 31, 2000

Enclosed are:

☒ Replacement Terminal Disclaimer to Obviate a Double Patenting Rejection over a Prior P

☒ The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

November 7, 2001
Date


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

In re Reissue Patent Application of:)

NOV 07 2001

PATENT NO. 5,842,685 for:)

PURVIS ET AL.)

GROUP 3600

Serial No. 09/703,277)

Examiner: A. Chop

Filing Date: October 31, 2000)

Art Unit: 3628 #11/

For: TEMPORARY GUARDRAIL SYSTEM)

Attorney Docket No.

24104A

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENTAssistant Commissioner of Patents
Washington, D.C. 20231**OFFICIAL**

Sir:

Assignee, address of Rt. 1, Box 238D, Holly Springs, NC 27540, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 08/755,596, issued as U.S. Patent No. 5,683,074 (hereinafter "the '074 Patent") and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was recorded on April 14, 1995 at Reel 007454, Frame 921-923 (see attached Assignment data and Request for Correction of Notice of Recordation of Assignment document). Assignee also verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 09/703,277 (hereinafter the '277 Patent Application).

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '277 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of the '074 Patent. Assignee hereby agrees that any patent so granted on the '277 Patent Application shall be enforceable only for and during such period that it and the

Adjustment date: 02/21/2002 / EEKUBAY1
11/13/2001 LLITTLE 00000001 010484 09703277
01 EC:248 55.00 CR

In re Patent Application of
PURVIS ET AL.
Serial No. **09/703,277**
Filed **October 31, 2000**

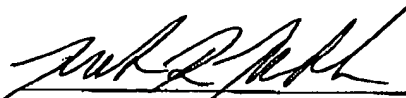
'074 Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the '074 Patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the agent of record.

A check in the amount of \$55.00 for the Terminal Disclaimer fee is enclosed. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. **01-0484**.

Respectfully submitted,



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In re Patent Application of
PURVIS ET AL.
Serial No. **09/703,277**
Filed **October 31, 2000**

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence for U.S. Serial
No. **09/703,277** has been forwarded via facsimile number **703-
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Chop, U.S. PATENT AND TRADEMARK OFFICE, WASHINGTON, D.C.
20231, on this 7TH day of November, 2001.



Mark R. Malek

PAGE: 1

PATENT NUMBER: 5683074

ISSUE DATE: 11/04/97

SERIAL NUMBER: 08/755596

FILING DATE: 11/25/96

ASSIGNMENTS CONTINUATION OF SERIAL NUMBER 08421858

RELATED PATENT NUMBERS: 5683074 5842685

TITLE: TEMPORARY GUARDRAIL SYSTEM

APPLICANT: PURVIS, HARRISON G. ; MATTHEWS, TONY R.

REEL: 007454 FRAME: 0919 DATE RECORDED: 04/14/95 NUMBER OF PAGES: 06

ASSIGNOR: MATTHEWS, TONY R.

EXC DATE: 03/15/95

ASSIGNEE: PURVIS, HARRISON G.

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

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